



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

F. #2020R00926

*271 Cadman Plaza East
Brooklyn, New York 11201*

December 8, 2020

BY EMAIL AND ECF

The Honorable Margo K. Brodie
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Goldman Sachs (Malaysia) Sdn. Bhd., 20-CR-438 (MKB)

Dear Judge Brodie:

On October 22, 2020, the defendant in the above-captioned matter, Goldman Sachs (Malaysia) Sdn. Bhd. ("Goldman Malaysia") pled guilty to a one-count information charging conspiracy to violate the anti-bribery provisions of the Foreign Corrupt Practices Act. At that plea hearing, the parties requested that a sentencing hearing be set in approximately two months, and the Court set the hearing for December 11, 2020 at 10:00 a.m. The parties now write to request an adjournment of the sentencing hearing to the week of February 22, 2021.

As the government noted at the plea hearing, Goldman Malaysia's parent company, The Goldman Sachs Group, Inc. ("Goldman Sachs") has submitted an application for an individual exemption to the Department of Labor ("DOL") for Goldman Sachs' affiliates to continue to be able to use the Qualified Professional Asset Manager ("QPAM") exemption. It is our understanding that DOL needs additional time to evaluate Goldman Sachs' application and for the related notice and comment period. As a result, the parties are asking for a brief additional adjournment of the sentencing date to allow DOL to complete its process.

Please let us know if you have any questions or need any additional information.

Respectfully submitted,

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cc: Defense Counsel (by email)